

STATE OF MISSOURI       )  
                                      ) ss.  
COUNTY OF JACKSON     )

Case No.14-MJ-00169-JTM

**AFFIDAVIT**

1. I, Jonathan Spaeth, am a Special Agent (SA) of the Federal Bureau of Investigation and have been so employed since December of 2008. Prior to that I was a Springfield Police Officer and Detective from 1998 to 2008. I am currently assigned to the Violent Crimes Squad within the Kansas City Division of the FBI. The information in this complaint was obtained by me personally, from other FBI agents, and from police officers and police officers' official reports.

2. This affidavit is in support of a Complaint and Arrest Warrant for Eric G. King, white male, Date of Birth: August 2, 1986, Social Security Number: 490-98-4821, for one count of Assaulting, Resisting or Impeding certain officers or employees, in violation of Title 18, United States Code, Section 111.

3. On September 11, 2014, at 2:52 a.m., a window was broken and two Molotov cocktails were thrown at the Congressional Office of Emanuel Cleaver located at 101 W. 31st Street, Kansas City, Missouri. The office was unoccupied at the time of the incident. A hammer which was used to break the window was recovered from the scene, as well as two broken Molotov cocktails. There was not any fire damage done to the building.

4. On September 11, 2014, your affiant reviewed the footage from Congressman Cleaver's office and observed a subject walk on foot south from the area of the Federal Reserve and Penn Valley Park. The subject then walks east bound on 31st Street until they reach the Congressman's office. The subject then walks to the west side of the building. The subject is wearing a large backpack with the straps loose, which causes the backpack to hang low on his

back. The subject retrieves two bottles with a white ignition source. After a few minutes of walking around the parking lot in an effort to hide from cars which were passing by, the subject throws an object later identified as a hammer through the west window and then lights the devices. The first device thrown appears to bounce off the side of the building. The second device is ignited and is thrown at the window. The suspect then sprints from the office west on 31<sup>st</sup> Street and then south from the area of 31st and Wyandotte. The evidence was collected by the Kansas City, Missouri Police Department (KCPD) at the scene and submitted to the crime lab for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). In reviewing the surveillance footage your affiant noted that the suspect appeared to be Caucasian and threw the devices with their left hand.

5. On September 12, 2014, your affiant spoke with KCPD Detective David Bodenhammer, who reported that he is helping to investigate a series of anti-government related vandalisms in the immediate vicinity of the Congressman's office. The incidents occurred over the Labor Day weekend and it involved the spray painting of anti-government/anarchy graffiti. Detective Bodenhammer said one of the incidents was at a Bank of America and in reviewing the surveillance footage the suspect appears to be Eric G. King, date of birth 08/02/1986, SSN 490-98-4821. Detective Bodenhammer had been involved in previous investigations of King and was familiar with his appearance. Upon a closer review of the surveillance footage from Bank of America, Detective Bodenhammer and other detectives from KCPD who were familiar with King from other previous investigations were able to confirm that it was in fact King on the surveillance footage. Detective Bodenhammer also advised that some KCPD vehicles were spray painted during that same time frame in a similar manner and style as the Bank of America. Detective Bodenhammer advised that King is staying at 2732 Charlotte. Your affiant later

learned he was staying Apartment #303 at that address.

6. Your affiant reviewed social media and Facebook posts by Eric G. King and noted one post from September 3, 2014, in which “KC Fight Back celebrated its first labor day with a lovely variety of action, action and more action against a series of government and Financial properties.” Other posts include King posting “KC Fight Back Insurrectionist Collective is alive,” and “these cops aren’t going to kill themselves, get to the streets. ACAB FCIC (A).” On August 10, 2014, a post by Eric G. King posted “I want to leave kc better than I found or an ashes.” A social media post by King on the day before the incident at the Congressman’s office, September 10, 2014, reads, “KC Fight Back has been in serious in its Insurrection activity, and that is the thing that is giving me the most pride in my life.”

7. On September 13, 2014, your affiant received an email from ATF Special Agent Bill Lee who reported that ATF Criminal Lab analyzed the liquids from the devices recovered on scene and that the liquid contained Medium Petroleum Distillates which is consistent with common ingredients of Charcoal Lighter Fluid.

8. On September 14, 2014, your affiant was contacted by FBI SA Eric Wisecup who advised that a suspect had spray painted anti-government/anarchist graffiti on the Liberty Memorial National World War I museum. Your affiant reviewed the photos and some of the graffiti was signed “KC FB” which your affiant believes is an abbreviation for “Kansas City Fight Back.”

9. On September 15, 2014, your affiant received surveillance footage from Detective Bodenhammer of 2732 Charlotte, Apartment #303, the apartment complex in which Eric G. King was staying. The surveillance photos appeared to be Eric G. King going into Apartment #303 from September 8, 2014. In one of the photos King is wearing a backpack with loose straps and

the backpack is hanging low on his back . Your affiant noted that the backpack is being carried in the same manner as the subject from the Congressional Office incident.

10. On September 15, 2014, your affiant learned that over the Labor Day weekend a police vehicle for the Federal Protective Police was vandalized. The vehicle was spray painted in gray spray paint “ACAB.” The vehicle was parked in the area of 601 E. 12th Street at the time of the incident.

11. On September 16, 2014, your affiant reviewed a Facebook post made by Eric King on the KC Anarchy Facebook page. The post read as follows: “Mates where area? This city is too big and the community is too awesome to be this un-active. I know there are a lot of small things going on, but lets get back to unity an solidarity and join up for a big one. We have countless options in this city in honesty; The Federal god damn Reserve is here! Bank of America Headquarters, Nuclear Bomb making facility, Walmarts galore, KCPD IRS building, WW1 memorial, as so fourth. I have many plans, but we need to be in it together.-EK (FOUNTAINCITYINSURRECTIONIST).” The post was made on May 4, 2014.

12. On September 16, 2014, members of KCPD, including Detective Shawn Campbell and Patrol Officer Kellen Story, were conducting surveillance on the 2732 Charlotte, Kansas City, Missouri apartment building. Detective Campbell observed King exit the east door to the apartment complex with a dog, but quickly returned to the apartment building. A few minutes later King and a female friend, Britteny Gatlin, emerged from the east door of the apartment. Officer Story approached King, who was carrying a blue backpack, and arrested him for property destruction/vandalism. King also had an outstanding traffic warrant. When Officer Story opened the bag King was carrying he discovered a red can of spray paint, Kingsford Charcoal Lighter fluid, and clear plastic soda bottle with a tube sock placed over it. When

Officer Story inspected the bottle further he noted there was an unknown clear liquid inside of the bottle. King made the statement to Officer Story that sock was used to conceal the smell. Officer Story asked King if there was anything in the bag that was going to harm the officers, and King did not answer the question. Your affiant also observed the spray paint can, the container of lighter fluid, and the clear plastic bottle with an unknown liquid. The lighter fluid container appeared to be approximately  $\frac{1}{4}$  full and the clear plastic bottle had an unknown chemical odor emanating from the bottle. Furthermore, the red spray paint can appeared to be the same color that was used to vandalize the Liberty Memorial. Furthermore, your affiant observed a gray spray paint on the inside of King's backpack, which was similar in color and appearance to the spray paint from the vandalism of the Federal Protective police cars.

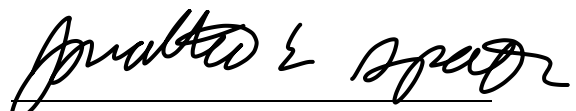
13. Your affiant reviewed the surveillance footage from the recording at the Congressman's office and compared it to the description and the surveillance footage from the apartment complex. Your affiant believes that the subject in the surveillance video from the Congressman's office is similar in size and stature to that of the physical description and surveillance photos of King.

14. On September 16, 2014, your affiant conducted a search warrant at 2732 W. Charlotte, Apartment 303, Kansas City, Missouri. During the search of the apartment your affiant found a hand written letter on a bedside shelf which also contained personal identifying documents for Eric G. King. Your affiant reviewed the letter, and the letter had a title of "Operation House Committee." The letter lists: "(1) Paint thinner/alcohol, (2) face cover/hand cover/all tattoos covered, (3) Three bottles glass, (4) paper towels, old rags/lighter, (5) drive/driver, must be someone trust with. " The letter then mentions the steps to light the devices, says to "use hammer/sledgehammer to break door," "light bottles, throw them, light

curtains,” and repeat these steps on “government buildings, all things police, certain law firms, corporations...” The first part of the backside of the letter reads, “The arsons committed on Sept 11, 2014 were committed solely by the KC FIGHT BACK Insurrectionist Collective.” The letter then mentions the arsons were done in solidarity with Ferguson, Missouri, “Chileans massacred by US backed General Pinochet” and “the countless lives ruined and lost to U.S. forces in Iraq, Afghanistan, Yemen, Pakistan, and Palestine.” The letter then specifically reads “The Missouri congress has been a willing partner in the US governments capitalist war hungry agenda.” The letter then discusses several future targets to include police officers, pay day loans, banks, and the Federal Reserve, among others. Towards the end of the letter it mentions “K.C.F.B. I.C. has declared war on the Missouri National Government.”

15. Your affiant reviewed the letter and compared it with the evidence collected from the Congressman’s office. KCPD recovered a hammer, paper towel wicks, and glass from the Molotov cocktails. These were all items mentioned in the letter found in King’s apartment to be used as part of “Operation House Committee.” The letter found in King’s apartment also mentions the use of a hammer.

FURTHER AFFIANT SAYETH NAUGHT.

  
JONATHAN SPAETH  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn before this me this 17<sup>th</sup> day of September 2014.

  
HONORABLE JOHN T. MAUGHMER  
United States Magistrate Judge  
Western District of Missouri

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